



# A LIMITED PERFORMANCE AUDIT OF THE SALT LAKE CITY POLICE DEPARTMENT

*MAY 16, 2018*



OFFICE OF THE  
**STATE AUDITOR**

# The Office of the State Auditor

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We provide Utah taxpayers and government officials with an independent assessment of financial operation, statutory compliance, and performance management for state and local government



# Three Main Audit Areas

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- A. Initial Scope:
  - 1. Internal Affairs Investigations
- B. Expanded Scope:
  - 1. Work Assignments
  - 2. Secondary Employment



# Finding 1: Some Management Do Not Understand Religious Accommodation Requirements

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- Employers have “an obligation to reasonably accommodate an individual’s religious practices...unless the employer demonstrates that accommodation would result in undue hardship...”  
See Civil Rights Act of 1964 § 7, 42 U.S.C. § 2000e-2(a); 29 CFR § 1605.2(b), (c)
- “Your assignment is your assignment”



# Finding 1 Recommendations

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- SLC human resources and legal personnel train SLCPD management on all employment practices required by Title VII
- SLCPD establishes specific policies regarding all accommodations required by Title VII



# Secondary Employment

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1. Secondary Employer pays the department, and the department pays the officer for secondary employment worked
2. Secondary employer pays the officer directly as a 1099 independent contractor for secondary employment worked (jobs still coordinated through the department and secondary employer contracts with the department)
3. Secondary employer pays the officer directly as an employee of the secondary employer (jobs still coordinated through the department and secondary employer contracts with the department)





## Finding 2: Secondary Employment Practices May Create Confusion and Mixed Loyalties

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- The public is likely confused as to who actually pays an officer in uniform while the officer is employed by a private entity for secondary employment work
- When an officer is paid directly by the secondary employer, mixed loyalties may exist as to who controls an officer's actions while employed by the secondary employer



## Finding 2 Recommendations

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- SLCPD should pay officers directly for secondary employment work
- A legislative change may be required to provide uniform regulation to secondary employment practices across all police jurisdictions





# Finding 3: Internal Affairs (IA) Investigations Have Followed SLCPD Policies

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- Sampled IA cases have followed policy and are consistent with other sampled jurisdictions

Jurisdiction	Days
Albuquerque	90
Boise	30
Cheyenne	60
Denver	30
Las Vegas	90
Phoenix	180
Provo	10-30
Ogden	No Deadline
Orem	No Deadline
Salt Lake City	75 (includes investigation, pre-determination hearing, and final determination of discipline)

## Finding 3 Recommendations

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- SLC should consider renegotiating the MOU and changing city policy, which currently grants career service protections which require a longer, more expensive termination process
- SLC should consider renegotiating the MOU and changing policy to allow critical information to be communicated sooner to the public for cases of potential great public concern



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